

REMARKS

In response to the Office Action dated June 14, 2010, Applicant hereby elects the third species, with traverse, comprising forming a source electrode and a drain electrode having a desired shape by etching the first film pattern using the first mask pattern as a mask and forming an insulating film and a gate electrode over the semiconductor region. Claims 3-6, 9-14, and 26 are readable on the elected species.

Additionally, Applicant traverses this species election because the sixth species is improperly designated as a separate species. Specifically, the sixth species encompasses a broader aspect of the invention where the second film pattern is not defined. Although the sixth species should be considered patentably distinct from the other five species designations, the sixth species should be considered generic to the remaining five species. As a result, Applicant believes that claim 15, readable on the sixth species, should be considered generic to all species. For example, claim 20, which depends from claim 15, recites that the second film pattern is at least one of a gate electrode, a source electrode, or a drain electrode. Thus, the sixth species should be recast to be generic to all other species.

For the foregoing reasons, Applicant respectfully submits claim 15 is generic to all other claims. Further, dependent claims 16-25 further define the features of generic claim 15. Thus, Applicant requests examination of claims 3-6 and 9-26. At the very least, Applicant contends that claims 16-25 should be rejoined upon the allowance of claim 15, along with any other of the withdrawn claims to which claim 15 remains generic.

Applicant also amends claim 16 herein to correctly depend from claim 15. This amendment is formal in nature and adds no new matter.

Consideration and allowance of the instant application are now respectfully requested.

Respectfully submitted,

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